

ERIC A. SEITZ
ATTORNEY AT LAW
A LAW CORPORATION

ERIC A. SEITZ 1412
LAWRENCE I. KAWASAKI 5820
DELLA A. BELATTI 7945
820 Mililani Street, Suite 714
Honolulu, Hawaii 96813
Telephone: (808) 533-7434
Facsimile: (808) 545-3608

Attorneys for Third-Party
Defendant Gary W. Rodrigues

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

JEANNE K. ENDO,	)	CIVIL NO. 03-00563 LEK
)	
Plaintiff,	)	THIRD-PARTY DEFENDANT
	)	GARY W. RODRIGUES' SECOND
vs.	)	MOTION IN LIMINE TO BAR
	)	ALL TESTIMONY OR EVIDENCE
UNITED PUBLIC WORKERS, AFSCME	)	AS TO INFORMATION THAT
LOCAL 646, AFL-CIO,	)	THE PLAINTIFF ALLEGES
	)	OTHER PEOPLE TOLD HER
Defendant,	)	ABOUT GARY RODRIGUES;
	)	MEMORANDUM IN SUPPORT;
vs.	)	CERTIFICATE OF SERVICE
)	
GARY W. RODRIGUES,)	
)	
Third-Party	)	TRIAL: May 13, 2008
Defendant)	
)	

THIRD-PARTY DEFENDANT GARY RODRIGUES' SECOND MOTION IN LIMINE TO
BAR ALL TESTIMONY OR EVIDENCE AS TO INFORMATION THAT THE
PLAINTIFF ALLEGES OTHER PEOPLE TOLD HER ABOUT GARY RODRIGUES

Comes now Third-Party Defendant GARY W. RODRIGUES
(hereinafter referred to as "Rodrigues"), by and through his
undersigned attorneys, and hereby moves in limine for an order

barring all testimony or evidence of information allegedly told to Plaintiff JEANNE K. ENDO (hereinafter "Plaintiff") by other people about Rodrigues on the grounds that such testimony or evidence:

1. Is impermissible hearsay, offered to prove the truth of the matter asserted;
2. Does not fall within any of the exceptions to hearsay;
3. Will result in unfair prejudice to Rodrigues, confuse the issues in this case and/or mislead the jury;
4. Will result in undue delay, waste of time, and/or the presentation of needlessly cumulative evidence, and
5. Is barred by Rule 404(b), Federal Rules of Evidence.

This motion is brought pursuant to Rule 7(b) of the Federal Rules of Civil Procedure, Rules 403, 404(b), 801, 802, and 803 of the Federal Rules of Evidence, Rule 16.9, Local Rules of Practice for the United States District Court for the District of Hawaii, and is based upon the memorandum attached hereto, the records and files in this action and such further evidence or argument which may be presented at a hearing on the motion.

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DATED: Honolulu, Hawaii, April 22, 2008.

/s/ Eric A. Seitz
ERIC A. SEITZ
LAWRENCE I. KAWASAKI
DELLA A. BELATTI

Attorneys for Third-Party
Defendant Gary W. Rodrigues